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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,377	07/17/2003	Noboru Katta	2003_1001	9708

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WENDEROTH, LIND & PONACK, L.L.P.  
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SUITE 800  
WASHINGTON, DC 20006-1021

EXAMINER
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LEE, RICHARD J

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/620,377	<b>Applicant(s)</b> KATTA ET AL.	
	<b>Examiner</b> Richard Lee	<b>Art Unit</b> 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/17/03, 6/18/04, 5/23/06</u> | 6) <input type="checkbox"/> Other: ____.  |

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1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because form and legal phraseology often used in patent claims, such as "means" appearing at lines 2, 3 (twice), respectively, should be avoided. Correction is required. See MPEP § 608.01(b).

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 12 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 12 and 13 respectively recite a single means claim, and a single means claim which covers every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor (see in re Hyatt, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983)).

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5. Claims 3-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For examples:

- (1) claim 3, line 4, "the access unit" shows no clear antecedent basis;
- (2) claim 7, line 2, "the image transmission apparatus" shows no clear antecedent basis;
- (3) claim 8, line 4, "the image transmission apparatus" shows no clear antecedent basis;
- (4) claim 9, line 2, "the access unit" shows no clear antecedent basis; and
- (5) claim 10, line 4, "the usable access units" shows no clear antecedent basis.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 12, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Schofield et al (5,670,935).

Schofield et al discloses a rearview vision system for vehicle including panoramic view as shown in Figures 1-3, 5, 8, and 10, and the same image transmission system as claimed in claims 1, 2, 12, and 13, comprising a transmission line, at least one image capture apparatus (i.e., 14, 16, 18 of Figure 5), wherein the image capture apparatus receives an image signal and layout information including original image information for specifying a cut-out position of an image signal to be cut out from the received image signal as inputs and outputs the image signal in the cut-out position toward the transmission line (see Figures 3, 8, and 10, and column 2, lines 38-

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53, column 3, lines 49-65, column 5, line 48 to column 6, line 12); the system includes at least one image receiving apparatus (i.e., 20 of Figures 3 and 5) connected to the transmission line, and the image receiving apparatus includes image generation means for generating an image from the image signals through the transmission line (see column 5, line 48 to column 6, line 12); an image transmission apparatus which receives an image signal and layout information including original image information for specifying a cut-out position of an image signal to be cut out from the received image signal as inputs, and outputs the image signal in the cut-out position (see Figures 3, 8, and 10, and column 2, lines 38-53, column 3, lines 49-65, column 5, line 48 to column 6, line 12); and an image capture apparatus which captures an image signal of a real image and receives layout information including original image information for specifying a cut-out position of an image to be cut out from the captured image signal as an input, and outputs the image signal in the cut-out position (see Figures 3, 8, and 10, and column 2, lines 38-53, column 3, lines 49-65, column 5, line 48 to column 6, line 12).

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 3-5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al as applied to claims 1, 2, 12, and 13 in the above paragraph (7), and further in view of Kawara (6,069,993) and Murakami et al (5,222,241).

Schofield et al discloses substantially the same image transmission system, image transmission apparatus, and image capture apparatus as above, further including an image transmission system comprising a transmission line (i.e., output of 18 of Figure 5) and at least two image transmission apparatus (see 14, 16, 18 of Figure 5) connected thereto wherein the image transmission apparatuses each receive an image signal and layout information including a display position indicating a position of the image signal in a composite image, converts the image signal into an image signal of the size according to the display position, and outputs the converted image signal at timing according to the display position (see Figures 3, 8, and 10, and column 2, lines 38-53, column 3, lines 49-65, column 5, line 48 to column 6, line 39, column 8, line 47 to column 9, line 24); the system includes a layout information generation unit which outputs layout information including display positions of images of plural transmission apparatuses, the layout information generation unit outputs layout information once per frame, the image transmission apparatus includes image conversion means which converts a size of an image according to the layout information, and outputs the converted image when the number of the usable access units is in a range corresponding to the display position (see Figures 3, 8, and 10, and column 2, lines 38-53, column 3, lines 49-65, column 5, line 48 to column 6, line 39, column 8, line 47 to column 9, line 24); the layout information includes original image positions for specifying cut-out positions of images to be cut out from image signals, and the image transmission apparatus cuts out the image signal in the position specified by the original image

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position and converts the cut-out image into the image of the display size (see Figures 3, 8, and 10, and column 2, lines 38-53, column 3, lines 49-65, column 5, line 48 to column 6, line 39, column 8, line 47 to column 9, line 24); the apparatus receives an image signal and layout information including a display position indicating a position of the image signal in a composite image as inputs, converts the image signal into an image signal of the size according to the display position, and outputs the converted image signal at timing according to the display position (see Figures 3, 8, and 10, and column 2, lines 38-53, column 3, lines 49-65, column 5, line 48 to column 6, line 39, column 8, line 47 to column 9, line 24), as claimed in claims 3-5 and 7-11.

Schofield et al does not particularly disclose, though, the transmission line is time-shared into plural access units and an apparatus connected to the transmission line uses the access unit to transmit a packet, the image transmission apparatuses each counts the number of the access units, and delay means which counts the number of usable access units as claimed in claims 3, 7, 9, and 10. However, Murakami et al discloses a digital signal processor as shown in Figure 18, and teaches the conventional accessing of plural access units in a time shared mode (see column 18, line 66 to column 19, line 18). Murakami et al is however silent as to the apparatus being connected to the transmission line uses the access unit to transmit a packet, the image transmission apparatuses each counts the number of the access units, and delay means which counts the number of usable access units and outputs the converted image when the number of usable access units is in a range corresponding to the display position as claimed. Kawara however discloses an image information decoding and reproducing apparatus as shown in Figure 1, and teaches the conventional use of access units to transmit a packet (see Figure 1, column 6,

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lines 1-13, column 6, line 66 to column 7, line 40), the image transmission apparatuses each counting the number of the access units (i.e., counter 111, see column 2, lines 26-64, column 7, lines 3-40), and delay means (i.e., counter 111 represents a delay for counts the number of pulses representing the access units, see column 2, lines 26-64, column 7, lines 3-40) which counts the number of usable access units. Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Murakami et al, and Kawara references in front of him/her and the general knowledge of image packet transmissions with time shared access units, would have had no difficulty in providing the time shared transmission line for plural access units, the use of a transmission line for the access unit to transmit a packet, the counting of the number of the access units, and delay means which counts the number of usable access units all as taught in the combination of Murakami et al and Kawara as part of the image transmission and capture apparatus of Schofield et al for the same well known time shared processing of image packets and obtaining information on the availability of access units via a count delay system purposes as claimed.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al, Murakami et al, and Kawara as applied to claims 1-5, and 7-13 in the above paragraphs (7) and (9), and further in view of Hannina et al (5,371,607).


Schofield et al, Murakami et al, and Kawara discloses substantially the same image transmission system, image transmission apparatus, and image capture apparatus as above, but does not particularly disclose wherein the transmission line is a ring type network as claimed in claim 6. Such technical features are however well recognized in the art, as exemplified by Hannina et al (see column 1, lines 27-31, column 2, lines 25-42). Therefore, it would have been



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obvious to one of ordinary skill in the art, having the Schofield et al, Murakami et al, Kawara, and Hannina et la references in front of him/her and the general knowledge of network transmission systems, would have had no difficulty in providing the ring type network transmission system as taught by Hannina et al for the image transmission system and image capture apparatus of Schofield et al, Murakami et al, and Kawara for the same well known packet network transmission purposes as claimed.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (571) 272-7333. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

  
**RICHARD LEE**  
**PRIMARY EXAMINER**

Richard Lee/rl

1/3/07

